

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

PATRICK NELSON,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:18-CV-994 JAR
	)	
STAN PAYNE,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

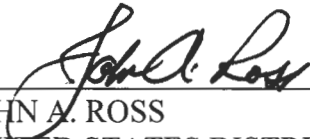
Before the Court is petitioner's motion for leave to proceed in forma pauperis on appeal. Upon review of the financial information contained in petitioner's prison account statement, as well as his motion to proceed in forma pauperis, the Court notes that the petitioner has received money order deposits on February 3, 2021 and April 13, 2021 totaling \$2,000 which are identified as stimulus funds. Those funds remain available to petitioner and petitioner appears to have enough funds to pay the appellate filing fee. Consequently, petitioner's motion to proceed in forma pauperis on appeal will be denied. Petitioner may renew his motion to proceed in forma pauperis before the Eighth Circuit Court of Appeals.

Accordingly,

**IT IS HEREBY ORDERED** petitioner's motion for leave to proceed in forma pauperis on appeal [ECF No. 35] is **DENIED without prejudice**. Petitioner may renew his motion to proceed in forma pauperis on appeal before the Eighth Circuit Court of Appeals.

**IT IS FURTHER ORDERED** that no certificate of appealability shall issue.

Dated this 13<sup>th</sup> day of May, 2021.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE